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| Notice of Allowability | Application No. | Applicant(s) | |
| | 09/672,705 | CHEONG ET AL. | |
| | Examiner | Art Unit | |
| | Prenell P Jones | 2667 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/30/2004.
2. ☒ The allowed claim(s) is/are 1-31.
3. ☒ The drawings filed on 29 September 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Allowable Subject Matter

1. Claims 1-31 are allowed over prior art.
2. The following is an examiner's statement of reasons for allowance: After reading Applicants argument, Examiner performed an additional search whereby the cited prior art fails to teach/suggest adding layer 2 boundary information to layer 1 frame prior to transmitting, and boundary data indicating whether there is a layer 2 header within the layer 1 frame and where the header begins.

The following is a statement of reasons for the indication of allowable subject matter: Although the cited art discloses a packet communication system that includes a simple data link protocol which supports the use of self-synchronization/delineation techniques in a receiver, data-grams containing link control information, identifying multiple physical SDL links multiplexed into a single link, packet recovery with respect to packet header, packet boundary recovery function, SDL receiver scans for boundary information of next SDL packet, physical layer providing byte boundaries, ATM receiver knows where the next cell header starts, receiver enters a packet hunt state to discover the next location of the SDL header, when more than one bit error occurs in the header SDL receiver enters a hunt state to retrieve lost packets, SDL Formatter receives data stream and formats the data stream into SDL packets, SDL transmitter/receiver, SDL packet extracts data-gram or payload and determines starting point of SDL packet, SDL allows high-speed delineation of asynchronous variable length data-grams, SDL deformatter finds a valid CRC and the next CRC is checked for frame boundary information, SDL deformatter delineates packet boundaries, SDL deformatter adds

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delineation bytes and LCP, PPP and NCP work over SDL with minimal modification, an ATM communication system combined with xDSL for the purpose of providing access communication for a local loop, cell delineation associated with an ATM system, mapping/de-mapping is carried out with respect to the ATM system wherein DMT symbols are utilized for link initialization and maintenance, ATM cell delineation is associated with user-network interface with respect to the physical layer, ATM cell delineation uses the correlation between header error control and cell header, cell delineation is used when the ATM cell boundary identification is used and cell delineation searches the start of the payload/header they fail to teach/suggest adding layer 2 boundary information to layer 1 frame prior to transmitting, and boundary data indicating whether there is a layer 2 header within the layer 1 frame and where the header begins, boundary information being transmitted in punctured symbol locations within the layer 1 frame.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 571-272-3180. The examiner can normally be reached on 9:00-5:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones

December 6, 2004


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

12/10/04